

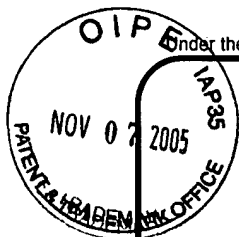
IPW

PTO/SB/21 (08-00)

Approved for use through 10/31/2002. OMB 0851-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Application Number	10/802,561
Filing Date	03/17/2005
First Named Inventor	John G. Polka
Group Art Unit	3617
Examiner Name	Russel D. Stormer
Attorney Docket Number	M402

Total Number of Pages in This Submission **17**

ENCLOSURES (check all that apply)

- | | | |
|--|---|--|
| <input type="checkbox"/> Fee Transmittal Form
<input type="checkbox"/> Fee Attached
<input type="checkbox"/> Amendment / Reply
<input type="checkbox"/> After Final
<input type="checkbox"/> Affidavits/declaration(s)

<input type="checkbox"/> Extension of Time Request
<input type="checkbox"/> Express Abandonment Request
<input type="checkbox"/> Information Disclosure Statement
<input type="checkbox"/> Certified Copy of Priority Document(s)
<input type="checkbox"/> Response to Missing Parts/ Incomplete Application

<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53 | <input type="checkbox"/> Assignment Papers (for an Application)
<input type="checkbox"/> Drawing(s)
<input type="checkbox"/> Licensing-related Papers
<input type="checkbox"/> Petition
<input type="checkbox"/> Petition to Convert to a Provisional Application
<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address
<input type="checkbox"/> Terminal Disclaimer
<input type="checkbox"/> Request for Refund
<input type="checkbox"/> CD, Number of CD(s) _____ | <input type="checkbox"/> After Allowance Communication to Group
<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Status Letter
<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
Response to Notice of Informality |
|--|---|--|

Remarks

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name

Robert L. Marsh

Signature

Robert L. Marsh

Date

11/03/2005

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Washington, DC 20231 on this date:

11/03/2005

11/03/05

Typed or printed name

Robert L. Marsh

Signature

Robert L. Marsh

Date

11/03/2005 *11/3/05*

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of : John G. Polka
Serial No. : 10/802,561
Filed on : March 17, 2004
For : Attachment for Retaining a Cover to the
Wheel of a Truck
Examiner : Stormer, Russel D.
Group Art : 3617
Attorney Docket No. : M402



LETTER IN RESPONSE TO NOTICE OF INFORMALITY

Assistant Commissioner for Patents
P. O. Box 1450
Alexandria, Virginia 22313-1450

11/09/2005 HTECKLU1 00000099 500783 10802561
01 FC:2251 60.00 DA

Sir:

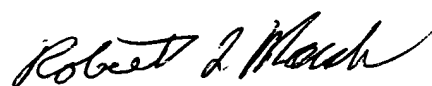
If any additional charges or fees must be paid in connection with this communication, they may be paid out of our deposit account no. 50-0783.

This letter is given in response to a communication from the United States Patent and Trademark Office issued October 20, 2005, a copy of which is attached, regarding an Informality Re Payment of Fee. The letter asks that a \$55.00 extension fee be paid on an amendment which was logged in as filed on October 13, 2005. The applicant asserts that the amendment was not filed October 13, 2005 but was in fact filed October 11, 2005, and to support this allegation a complete copy of the amendment, including a copy of the Transmittal Form PTO/SB/21, is enclosed. The Transmittal Form includes a Certificate of Mailing in which the undersigned certified that the correspondence was

deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to the Commissioner for Patents on October 11, 2005. If the envelope in which the transmission was enclosed was retained by the Patent Office, that envelope will also reflect a postal date of October 11, 2005. Since the original Office Action to which this amendment was in response was dated July 12, 2005, the amendment was due by October 12, 2005. With the Certificate of Mailing attached thereto, the response was properly filed October 11, 2005, one day before the due date, and accordingly the Informality Re Payment of Fees, asking for a \$55.00 extension fee has been improperly assessed. The applicant hereby requests that this Notice of Informality Re Payment of Fee be withdrawn.

If for any reason the Informality Re Payment of Fee is not to be withdrawn, the applicant draws attention to the fact that this letter and the amendment to which this letter relates both include a paragraph stating that any additional fees arising as a result of the communication may be drawn out of the applicant's attorney's deposit account 50-0783.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Robert L. Marsh".

Robert L. Marsh
Reg. No. 25894
Attorney for the Applicant
630-681-7500
Fax: 630-681-3464

RLM:ksc



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/802,561	03/17/2004	John G. Polka	M403	3498

30406 7590 10/20/2005

ROBERT L. MARSH
54 DANADA DRIVE
P.O. BOX 4468
WHEATON, IL 60187-4468



EXAMINER

STORMER, RUSSELL D

ART UNIT	PAPER NUMBER
----------	--------------

3617

DATE MAILED: 10/20/2005

Please find below and/or attached an Office communication concerning this application or proceeding.



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office

Address : COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

SERIAL NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO.
10/802561			



EXAMINER	
ART UNIT	PAPER NUMBER

DATE MAILED:

INFORMALITY RE PAYMENT OF FEE

The informality regarding the payment of the fee in connection with ☐ the original filing fee ☒ the amendment filed 10-13-05 is indicated below.

A. FEE DUE

1. ☐ The amendment is considered incomplete in that the funds in Deposit Account No. _____ are insufficient to cover the entire fee due. The balance is due within the period set below.
2. ☐ The amendment is considered an incomplete response, in that payment of \$ _____ is insufficient to cover the claims as shown in the attached Patent Application Fee Determination Record. Remittance is due within the period set below.
3. ☐ The amendment has not been entered, since applicant has failed to remit (or authorize charge to a Deposit Account) the fee as indicated on the attached Patent Application Fee Determination Record. Remittance or authorization is due within the period set below.
4. ☐ The filing fee of \$ _____ submitted in this application is insufficient.

A balance of \$ _____ is due for additional claims.

5. ☒ 1 month Ext of Time \$55.00 is due

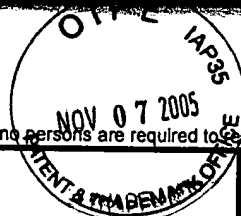
APPLICANT IS GIVEN THE REMAINDER OF THE SET PERIOD FOR RESPONSE, OR ONE (1) MONTH FROM THE DATE OF THIS LETTER, WHICHEVER IS LONGER, WITHIN WHICH TO REMIT THE FEE OF \$ 55.00.

B. EXCESS PAYMENT:

5. ☐ It is noted that payment of \$ _____ is in excess of the amount necessary to cover the claims now in the application. See the attached Patent Application Fee Determination Record.

This matter of refund or credit to your account is being referred to the Finance Officer, for his consideration.

CLERK OF GROUP



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Approved for use through 10/31/2002. OMB 0651-0031
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Russell D. Stormer

Attorney Docket Number

M403

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☐ Proprietary Information

☐ Status Letter

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